

AUG 17 2003

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U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE
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FORM**

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|---|----------------------|------------------------|--------------|
| TRANSMITTAL FORM to be used for all correspondence after initial filing | Application Number | 09/932,167 | |
| | Filing Date | August 17, 2001 | |
| | First Named Inventor | Chaitan KHOSLA | |
| | Art Unit | 1651 | |
| | Examiner Name | I. Marx | |
| Total Number of Pages in This Submission | 3 | Attorney Docket Number | 300622005900 |

ENCLOSURES (check all that apply)

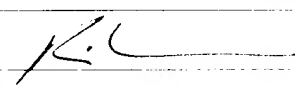
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| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply (2 pages) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) Return receipt postcard |
| Remarks | | |

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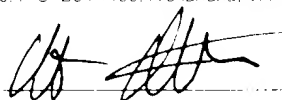
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | |
|-------------------------------|---|-------|
| Firm or Individual name | MORRISON & FOERSTER LLP Randolph Ted Apple - 36,429 | 25226 |
| Signature |  | |
| Date | 12 August 2003 | |

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 332780615 US,
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Dated August 12, 2003

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(Anthony, Soljanich)

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Dated: August 22, 2003

Signature:

(Anthony Soljanich)

Docket No.: 300622005900
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Chaitan KHOSLA, et al.

Application No.: 09/932,167

Group Art Unit: 1651

Filed: August 17, 2001

Examiner: I. Marx

For: FERMENTATION AND PURIFICATION OF
MIGRASTATIN AND ANALOG

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
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Dear Sir:

This is in response to the Office Action dated July 22, 2003, which set forth a restriction requirement for pending claims 1-10. A response is due by August 22, 2003. Accordingly, this response is timely filed.

Applicants hereby elect Group I (claims 1-2, and 5-6), without traverse. Applicants expressly reserve their right under 35 U.S.C. § 121 to file one or more divisional applications directed to the non-elected subject matter during the pendency of this application, or an application claiming priority from this application.

Applicant requests examination of the elected subject matter on the merits.

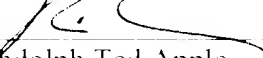
Application No.: 09 932,167

Docket No.: 300622005900

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 300622005900. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: 12 August 2003

Respectfully submitted,

By 
Randolph Ted Apple
Registration No.: 36,429
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Palo Alto, California 94304
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AUG 12 2003